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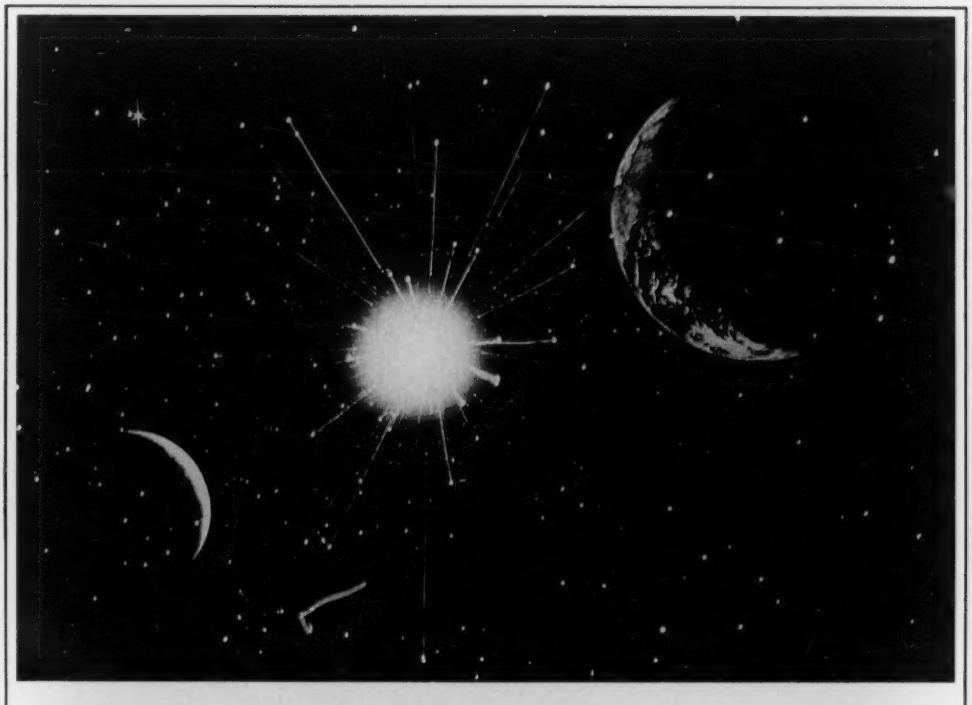
The Fifth Estate

RADIO TELEVISION CABLE SATELLITE

Broadcasting Aug 10



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56th Year 1987

Fairness doctrine felled

Vol. 113 No. 6

Broadcasting Aug 10

Decline and Fall of the Fairness Doctrine

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White House to nominate Holmes to FCC seat... page 88.

Commission moves to curb petition-to-deny abuses... page 57.

Tony Cox named to head Showtime... page 54.

Compulsory license comments pour into FCC... page 88.

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Open Mike

Other side of the music coin

EDITOR: BROADCASTING's Aug 3 "Monday Memo" contained a commentary from Mr. W. Robert Thompson, a former SESAC president, in which he criticized broadcasters for seeking reform of the current system of blanket licensing for music used by local TV stations.

Contrary to the assertions of Mr. Thompson, I know of no broadcaster who opposes "composers' rights." I know of no broadcaster who opposes the idea of copyright.

The current effort to achieve meaningful reform in Congress and the courts of an outdated system is being fueled not by any "evangelical fervor" on the part of any single group of broadcasters, as Mr. Thompson suggests—but by the unfairness of the current system. Under that system, payment for music has no relationship to the value of music in a syndicated TV show.

Under the current system we pay music license fees based on revenues from shows that don't even use music—our news, weather, sports and talk shows.

Under the current system composers don't even receive most of the money we pay for music. Composers who write for TV receive only 40 cents of every dollar we pay to the American Society of Composers, Authors and Publishers and Broadcast Music Inc. These two middlemen, however, take 20 cents of every dollar we pay for so-called "administrative fees." Imagine the public outcry if the IRS charged a 20% fee for administering the income tax system.

The real outrage, however, is that the Hollywood studios that sell us syndicated shows in the first place and who own the music in nearly all cases, take 40 cents on every dollar we pay ASCAP and BMI for so-called "publishing" fees.

Source licensing reform would do no more than require studios to justify these "publishing" fees in face-to-face negotiations when we buy a show. Source licensing would also eliminate the ridiculous 20% charge by ASCAP/BMI bureaucracies for brokering a product we could easily get directly from the studio/syndicator.

Last year stations paid nearly $3 billion to Hollywood for syndicated shows. These fees generated ample revenue to pay for creative talent such as directors, actors and musicians. Surely the same marketplace could produce ample reward for composers and their copyright interests in shows.

Unfortunately, ASCAP, BMI, and, yes, SESAC, have a vested interest in keeping local broadcasters tied to an archaic blanket license system developed originally for the live music era of dance halls and vaudeville shows.

Local television owners and operators lately have become aware of the unjustified nature of fees charged by ASCAP, BMI and SESAC and of the inability of existing legislation to prevent this unfairness.

The volunteer broadcasters involved in the fight for reform are committed to securing legislation that will bring about payment for music performance rights based on the real value of music in a program, not as an artificial formula that perpetuates a long-standing inequity.—*M.N. (Buddy) Bostick, president and general manager, KWTX-TV Waco, Tex.*

Happy returns

EDITOR: This organization is very grateful to you for bringing back your excellent section, "Where Things Stand," on a more frequent basis.

The Caucus has a committee dealing with Washington matters and you save them a great deal of research by keeping them abreast.

I'm sure that that section is one that is useful to many of your professional readers as well as to members of academia, and even to members of Congress.

We appreciate your publishing it.—*David Levy, executive director, The Caucus for Producers, Writers & Directors, Los Angeles.*

PTAR proponents

EDITOR: In BROADCASTING's July 27 issue ("In Brief") I note that your writers are quick and thorough to list all of the opponents of our petition to repeal the "off-network" provision of the prime time access rule.

There *are* some proponents of this issue, namely Capitol Broadcasting Co.; WRAL-TV Raleigh, N.C.; Bonneville International Corp.; WCPX-TV Orlando, Fla.; WIVB(TV) Buffalo, N.Y., and KARK(TV) Little Rock, Ark. Some of the above have filed with the FCC. In addition there is mounting support from other stations and groups that have not filed as of this date.—*Jerry P. Colvin, executive vice president, general manager, WUHQ-TV Battle Creek, Mich.*

Marino man

EDITOR: A word of appreciation for your "Fifth Estater" of FCC Review Board Chairman Joseph Marino in the July 20 BROADCASTING.

It is about time. This splendid gentleman of great common sense and judicial acumen merits the respect of the entire industry.—*Cecil Lynch, radio engineering consultant, Modesto, Calif.*

Errata

Robert Kipperman is vice president and general manager of CBS Radio Networks, not president, as stated in July 27 radio special story on networks. Also, CBS dropped **three-hour,** not two-hour, weekly top 40 series in past year. In programing story, CBS's "new age" series is called *The New Era* and is aired over CBS RadioRadio, not the CBS Radio Network.

□

July 13 story on presidential debate schedule for 1988 referred to three **Kennedy-Nixon debates** in 1960 that were not sponsored by League of Women Voters. **There were four** such debates.

□

KGO(AM) San Francisco holds rights to San Francisco 49ers games, not KCBS(AM) as printed in NFL chart on page 53 in Aug. 3 issue. KGO distributes to regional network of 30. **Also,** in chart of local radio coverage, KABC(AM) Los Angeles was listed as lead station for **Los Angeles Raiders.** As correctly stated in story, **lead station is KRLA(AM) Los Angeles** with network of 38 stations in 14 states.

A Constructive Service to Broadcasters
and the Broadcasting Industry

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Second-quarter television network revenues up slightly

The second-quarter results reported for the three television networks last week can only be said to be encouraging by comparison with the first-quarter numbers. Net revenue for ABC, CBS and NBC increased in the second quarter by 2.53%, to $1,745,873,000, compared to flat first-quarter results.

That small a percentage increase is not likely to have supported gains at all three networks, especially given the likely strength of NBC's advance. With ABC having also claimed an increase for the quarter, the implication suggests the CBS television network had declining revenue. The networks' revenue figures, which are unaudited, are compiled by Arthur Young & Co..

By dayparts, the trends evident in recent quarters largely repeated themselves, with gains in prime time and sports offset by a continuing fall in daytime and children's revenue. Prime time revenue was $932.8 million, up 4.1%, bringing the first-half total to $1.79 billion, up 3.2%.

For daytime, the continuing decline eased in the second quarter, with the $299.7 million total off 6.6% from last year's second quarter. The first-half total was $552.3 million, down 9.5%. A further decline is widely expected for the third quarter because a significant amount of ABC's inventory, if not of other networks as well, will be used for advertiser make-goods.

Sports revenue jumped 21.7% to $199.3 million, bringing the first-half total to $491.6 million, up 16.2%. News fell behind sports as the third largest daypart, with second-quarter revenue of $195 million, down 3%. First-half results showed news revenue of $342.9 million, down 6.9%. Late-night revenue of $82.4 million was flat from a year ago, while first-half numbers were up 1%, to $143.6 million.

The strong first-quarter gain in revenue from children's programing was not repeated in the second quarter, with the $36.6 million total off 4.8% from last year. First-half revenue in that daypart was $57.9 million, up 2.3%.

1987 versus 1986

(Add 000)

	Prime Time	Late Night	Daytime	Children	Sports	News	Total
Revenue from client-supplied programing							
Second quarter '86	$5,486	$0	$0	$0	$0	$0	$5,486
Second quarter '87	12,162	0	315	0	2,598	0	15,075
% increase (decrease)	121.69	0	315	0	2,598	0	174.79
All other gross revenue from time sales*							
Second quarter '86	1,050,749	98,756	377,324	45,194	192,629	232,428	1,997,080
Second quarter '87	1,084,999	96,983	351,862	42,960	230,874	229,325	2,037,003
% increase (decrease)	3.26	(1.80)	(6.75)	(4.94)	19.85	(1.34)	2.00
Total gross revenue from time sales							
Second quarter '86	1,056,235	98,756	377,324	45,194	192,629	232,428	2,002,566
Second quarter '87	1,097,161	96,983	352,177	42,960	233,472	229,325	2,052,078
% increase (decrease)	3.87	(1.80)	(6.66)	(4.94)	21.20	(1.34)	2.47
Less advertising agency commissions							
Second quarter '86	160,017	16,318	56,435	6,791	28,875	31,303	299,739
Second quarter '87	164,315	14,548	52,495	6,405	34,159	34,283	306,205
% increase (decrease)	2.69	(10.85)	(6.98)	(5.68)	18.30	9.52	2.16
Total net revenue from time sales							
Second quarter '86	896,218	82,438	320,889	38,403	163,754	201,125	1,702,827
Second quarter '87	932,846	82,435	299,682	36,555	199,313	195,042	1,745,873
% increase (decrease)	4.09	0	(6.61)	(4.81)	21.71	(3.02)	2.53

*Includes $18,558,000 in color insertion revenue reported by three networks for 1987 second quarter and $16,814,000 for 1986 second quarter.

la," compared to the roughly $800,000 to $1 million to produce a prime time soap opera on ABC, CBS and NBC. Some of Telemundo's cost savings are not of its choice. Raider said the network is not allowed to bid for a program's dubbed rights in a market where that same program's English-language version is already running.

In news, the network's week nightly half-hour *Noticiero Telemundo* costs roughly $3.4 million a year to produce (or $13,000 per newscast), while CBS spent roughly $190 million on "hard news" the previous year. But currently the company's 30-second spots sell at about the same discount to the three "Anglo" networks—30 seconds in *Noticiero Telemundo* sell for $1,000 compared to perhaps $60,000 for the same on the *CBS Evening News*.

It has been Silverman's bottom-line pitch to potential investors during the past two weeks that Telemundo can "leverage" the combination of controlled costs and advertising revenue increases into significant gains of cash flow. Specifically the Telemundo chief executive officer thinks that as measured audience and advertiser familiarity increase, advertising avails will become more scarce (they are now around 50%), and advertising rates will jump "geometrically, not just arithmetically."

That kind of mathematics is causing the company to project cash flow gains of roughly 60% for this year, according to an informed source. The roughly $20 million in cash flow expected in 1987 would easily cover the $12 million in cash interest expense and other cash fixed charges Telemundo faces following the public offerings.

In addition to the public stock offering, Reliance and other existing shareholders will be putting in close to $60 million of additional capital. The company is also refinancing some of its debt by issuing zero coupon notes at $106 million, present value. Five years from now those interest-deferred notes, depending on their interest rate, would represent a sum of $205 million to $225 million which Telemundo would have to repay, or refinance. But for the next few years at least, Telemundo may be able to wait for the Spanish-language TV business to catch up. □

<RAM>

R.A. Marshall & Co.

Media Investment Analysts & Brokers

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Facilities Changes

Applications

AM's

Tendered

■ KXKS (1190 khz) Albuquerque, N.M.—Seeks CP to increase power to 10 kw. Filed July 29.

Accepted

■ WPCF (1290 khz) Panama City, Fla.—Seeks CP to reduce power to 270 w and make changes in antenna system. Filed July 29.

■ WNDZ (750 khz) Portage, Ind.—Seeks mod. of CP to operate trans. by remote control from main SL. Filed July 29.

FM's

Tendered

■ KHHH (98.5 mhz) Honolulu—Seeks mod. of CP to change TL and change HAAT to 295.2 ft. Filed July 29.

■ WRAJ-FM (92.7 mhz) Anna, Ill.—Seeks CP to change TL; change ERP to 800 w; change HAAT to 626.5 ft. Filed July 29.

■ WBKN (92.1 mhz) Brookhaven, Miss.—Seeks CP to change TL; change ERP to 2.5 kw and change HAAT to 351 ft. Filed Aug. 4.

■ WQMU (103.1 mhz) Indiana, Pa.—Seeks CP to change TL and change ERP to 2.4 kw. Filed Aug. 4.

■ WWHT-FM (94.3 mhz) Goose Creek, S.C.—Seeks mod. of CP to change ERP to 1.43 kw; change HAAT to 478.9 ft and make changes in antenna system. Filed Aug. 4.

■ KISJ-FM (104.1 mhz) Brownwood, Tex.—Seeks mod. of CP to change TL and change HAAT to 321.4 ft. Filed Aug. 4.

Accepted

■ KIOI (101.3 mhz) San Francisco—Seeks CP to change TL. Filed Aug. 4.

■ KYA (103.3 mhz) San Francisco—Seeks mod. of CP to make changes in antenna system. Filed Aug. 4.

■ KHIH (94.7 mhz) Boulder, Colo.—Seeks mod. of CP to make changes in antenna system. Filed Aug. 4.

■ KKMG (98.5 mhz) Pueblo, Colo.—Seeks mod. of CP to change TL; change ERP to 65.3 kw and change HAAT to 2,155 ft. Filed Aug. 4.

■ WZTA (94.9 mhz) Miami Beach—Seeks mod. of CP to change ERP to 100 kw. Filed Aug. 4.

■ WLKQ (102.3 mhz) Buford, Ga.—Seeks mod. of CP to change TL. Filed Aug. 4.

■ WXIR (98.3 mhz) Plainfield, Ind.—Seeks mod. of lic. to relocate main studio outside of community of license. Filed July 29.

■ WSJC-FM (107.5 mhz) Magee, Miss.—Seeks mod. of CP to change HAAT to 751.1 ft.; change TL and make changes in antenna system. Filed Aug. 4.

■ KLDZ (95.1 mhz) Lincoln, Neb.—Seeks CP to change freq. to 95.1 mhz and change ERP to 50 kw; change HAAT to 492 ft. Filed Aug. 4.

■ WCDO-FM (100.9 mhz) Sidney, N.Y.—Seeks CP to change ERP to 970 w. Filed Aug. 4.

■ WERT-FM (98.9 mhz) Van Wert, Ohio—Seeks CP to change TL and change HAAT to 492 ft. Filed Aug. 4.

■ KCMA (92.1 mhz) Broken Arrow, Okla.—Seeks CP to change ERP to 2.25 kw; change HAAT to 373.9 ft. and change TL. Filed Aug. 4.

■ KCPX-FM (98.7 mhz) Salt Lake City—Seeks CP to change ERP to 40 kw. Filed Aug. 4.

TV's

Tendered

■ New TV (ch. 45) Leesburg, Fla.—Seeks MP to change HAAT to 452.6 ft. and change TL. Filed Aug. 4.

Accepted

■ WBRC-TV (ch. 6) Birmingham, Ala.—Seeks CP to change HAAT to 1,377.6 ft. and change TL. Filed Aug. 4.

■ WHST (ch. 48) Cleveland—Seeks MP to change HAAT to 1,536 ft. and change TL. Filed Aug. 4.

Actions

AM's

■ KJDJ (1030 khz) San Luis Obispo, Calif.—Granted app. to reduce power to 2.5 kw-D; 700 w-N and change TL. Action July 23.

■ WNAQ (1380 khz) Naugatuck, Conn.—Granted app. to operate trans. by remote control from main SL. Action July 21.

■ WEXY (1520 khz) Wilton Manors, Fla.—Granted app. to operate trans. by remote control from main SL. Action July 21.

■ WKVI (1520 khz) Knox, Ind.—Returned app. to increase power to 2 kw. Action July 24.

■ WMRE (1510 khz) Boston—Granted app. to operate trans. by remote control from main SL. Action July 21.

■ WEHH (1590 khz) Elmira Heights, N.Y.—Granted app. to change hours of operation to unlimited by adding night service with 460 w and make changes in antenna system. Filed July 23.

FM's

■ WKYD-FM (98.1 mhz) Andalusia, Ala.—Granted app. to change ERP to 89 kw and change HAAT to 1,022.1 ft. Action July 24.

■ KCZP (91.9 mhz) Kenai, Alaska—Granted app. to change TL; change ERP to 4.9 kw and change HAAT to 72.2 ft. Action July 28.

■ KGCI (97.7 mhz) Grundy Center, Iowa—Granted app. to change TL and change HAAT to 328 ft. Action July 28.

■ WBYQ (96.7 mhz) Baltimore—Returned app. to change TL; change ERP to 192 w and change HAAT to 170.7 ft. Action July 28.

■ KIKV-FM (100.7 mhz) Alexandria, Minn.—Granted app. to change TL and change HAAT to 1,023.4 ft. Filed July 23.

■ WCKQ (98.7 mhz) Vicksburg, Miss.—Dismissed app. to change HAAT to 1,057.5 ft. Action July 27.

■ WSJL (102.3 mhz) Cape May, N.J.—Dismissed app. to change TL and change HAAT to 328 ft. Action July 28.

■ KFGO-FM (101.9 mhz) Fargo, N.D.—Granted app. to change HAAT to 986 ft. Action July 23.

■ KBEZ (92.9 mhz) Tulsa, Okla.—Granted app. to change TL and change HAAT to 1,317.6 ft. Action July 27.

■ KBOO (90.7 mhz) Portland, Ore.—Granted app. to change HAAT to 911 ft. and decrease HAAT to 23.44 kw. Action June 3.

Summary of broadcasting
as of June 30, 1987

Service	On Air	CP's	Total *
Commercial AM	4,887	170	5,057
Commercial FM	3,969	418	4,387
Educational FM	1,272	173	1,445
Total Radio	10,128	761	10,889
FM translators	1,115	766	1,881
Commercial VHF TV	542	23	565
Commercial UHF TV	461	222	683
Educational VHF TV	114	3	117
Educational UHF TV	198	25	223
Total TV	1,315	273	1,588
VHF LPTV	247	74	321
UHF LPTV	162	136	298
Total LPTV	409	210	619
VHF translators	2,981	145	3,126
UHF translators	1,998	293	2,291
ITFS	250	114	364
Low-power auxiliary	824	0	824
TV auxiliaries	7,430	205	7,635
UHF translator/boosters	6	0	6
Experimental TV	3	5	8
Remote pickup	12,338	53	12,391
Aural STL & intercity relay	2,836	166	3,002

* Includes off-air licenses.

■ WAVF (96.1 mhz) Hanahan, S.C.—Granted app. to change TL and change HAAT to 1,445 ft. Action July 24.

■ KEXI (93.3 mhz) Walla Walla, Wash.—Granted app. to change TL; change ERP to 100 kw; change HAAT to 222.7 ft. and make changes in antenna system. Filed July 23.

TV's

■ KREQ (ch. 23) Arcata, Calif.—Granted app. to change ERP vis. to 195 kw; aur. 19 kw; change HAAT to 1,672.8 ft. and change TL. Action July 29.

■ KTLA-TV (ch. 5) Los Angeles—Granted app. to change ERP to 44.7 kw; change HAAT to 3,204.6 ft. and change TL. Action July 13.

■ KMNE-TV (ch. 7) Basett, Neb.—Granted app. to change HAAT to 1,487 ft. Action July 24.

■ WMGC-TV (ch. 34) Binghamton, N.Y.—Granted app. to change ERP to 1,490 kw and change HAAT to 922 ft. Action July 13.

■ KKTU (ch. 33) Cheyenne, Wyo.—Granted app. to change ERP to 253 kw; change HAAT to 488.7 ft. and change TL. Action July 24.

Call Letters

Applications

Call	Sought by
New FM	
WWDR	Jessup Broadcasting Ltd. Partnership, Hardeeville, S.C.
Existing AM's	
WAJL	WWLD Alleluia Ministries Inc., Pine Castle-Sky Lake, Fla.
WWLD	WAJL Metroplex Communications Inc., Winter Park, Fla.
Existing TV's	
KHSF	KPST-TV Silver King Broadcasting of Northern California Inc., Vallejo, Calif.
KHSP	KWVT Silver King Broadcasting of Oregon Inc., Salem, Ore.

Grants

Call	Sought by
New FM's	
WXYB	Echo Broadcasting inc., Zeeland, Mich.
WKLM	Graphic Publications Inc., Millersburg, Ohio
KMIQ	Cotton Broadcasting, Robstown, Tex.
New TV's	
WKKT-TV	Green River Group Ltd., Hopkinsville, Ky.
WHTJ	Central Virginia Educational Television Corp., Charlottesville, Va.
Existing AM's	
WRRX	WRLX Target Communications of Alabama Inc., Tuscaloosa, Ala.
KMFI	KSVA Sierra Pacific Broadcasters Ltd., Sierra Vista, Ariz.
WXAM	WLCB Larue County Broadcasting Co., Buffalo, Ky.
KATQ	KHPN William S. Boswell, Plentywood, Mont.
WQMI	WAVI Windward Communications Group Inc., Portsmouth, N.H.
KIVA	KXAK Daytona Group of New Mexico Inc., Corrales, N.M.
WADV	WVLV KAPP Advertising Service Inc., Lebanon, Pa.
Existing AM's	
KKSF	KLOK-FM Hillcrest Motor Co., San Francisco
WQMI-FM	WQMI Mildam Communications Corp., York Center, Me.
KIVA-FM	KIVA Daytona Group of New Mexico Inc., Santa Fe, N.M.
WRNX	WRRX Keymarket of Charlotte Inc., Hickory, N.C.
KRTS	KRTS Inc., Seabrook, Tex.